



Reply to
Attention of:

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946
March 12, 1999

RECEIVED
MAR 16 1999
Slayden Const. Inc.

Operations Division

SUBJECT: Corps Number: 92-1131

Rick Frame
Slayden Construction, Inc
PO Box 625
Stayton, Oregon 97383-0625

Dear Mr. Frame:

Your consultant, Bruce Henderson, Henderson Land Services LLC, recently requested that the Corps of Engineers re-verify that a delineation completed in 1992 is still accurate. The site in question was called the "Consumer Power site," located in Section 26, Township 11 South, range 5 West, Benton County, Oregon. Mr. Henderson submitted a letter and provided information about the three wetland parameters that are used to make wetland determinations.

Based in the information provided in the letter and telephone conversations with Mr. Henderson, I can verify that the subject site is (still) not under the regulatory jurisdiction of Section 404 of the Clean Water Act. This verification is valid until March 2004. If you wish to discharge fill material after that date, please re-verify whether this site is under our jurisdiction.

Thank you for contacting the Corps of Engineers. If you have any questions, you may write or call me at 808-4383.

Sincerely,

Richard Gebhart
Ecologist / Senior Project Manager
Regulatory Branch

Copy Furnished:

ODSL (Caswell)
Henderson Land Services LLC

CC: CK

TO BE
MICROFILMED
1900 NW 94 St
EXC 99-00002

FIELD

HENDERSON
LAND SERVICES LLC

March 15, 1999

4212 South Shore Blvd.
Lake Oswego, OR 97035
telephone 503.699.8999
facsimile 503.699.8777
landserv@worldnet.att.net

Mr. Rick Frame, Senior Vice President
Slayden Construction, Inc.
PO Box 625
Stryton, Oregon 97383

SUBJECT: ODSL CONCURRENCE; CONSUMER POWER SITE WETLAND DETERMINATION,
CORVALLIS, BENTON COUNTY, OREGON - T116, R5W, S26

Rick:

Per Slayden Construction Inc's request, HENDERSON LAND SERVICES LLC (HLS) has requested wetland determination concurrence from the Oregon Division of State Lands and the US Army Corps of Engineers regarding HLS' findings of 'no jurisdictional wetlands' on the Consumer Power, Inc. site (9th Avenue and Spruce Street) in Corvallis, Oregon.

confirmed by me with Janet Morlan on 3-15-99 JPH
Janet Morlan, ODSL Wetlands Program Leader (503 378-3805 ext. 236) sent the following statement by e-mail to our offices on March 12th "to confirm our phone conversation today about the status of the Division's January 8, 1993 approval of the wetland delineation report for the above site on 9th and Spruce Streets in Corvallis. The Division does not have an expiration date for delineation approvals. Our concurrence is considered valid unless site conditions change in such a way that a reconsideration is needed. Your recent site observations, as reported in a letter to Mr. Rick Fame (dated November 21, 1998), indicate that conditions are essentially the same as during the earlier site investigation. Therefore, our 1993 approval is still valid. For your record, the determination file number for this site is Del.93-0024. Thank you for the additional information and for contacting us."

HLS has also requested that Mr. Rich Gebhart, US Army Corps of Engineers Wetlands Specialist (503 808-4383), re-issue ACOE's concurrence letter for the Consumer Power site. Upon receipt, we will forward this concurrence to your offices. Please note that ACOE concurrence is now valid for five years rather than three as stated in the previous concurrence letter.

Best regards,

HENDERSON LAND SERVICES LLC

Bruce A. Henderson
President

Slayden Misc./Consumer Power Ltr2

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EXC 99-00002



November 2.1, 1998

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NOV 25 1998

Slayden Const. Inc.

4212 South Shore Blvd.
Lake Oswego, OR 97035
telephone 503.699.8999
facsimile 503.699.8777
landserv@worldnet.att.net

Mr. Rick Frame, Senior Vice President
Slayden Construction, Inc.
PO Box 625
Stayton, Oregon 97383

SUBJECT: RECONNAISSANCE MEMORANDUM; CONSUMER POWER SITE,
CORVALLIS, BENTON COUNTY, OREGON - T11S, R5W, S26

Rick:

Per Slayden Construction Inc's request, HENDERSON LAND SERVICES LLC (HLS) has reviewed the concurrence letters from the Oregon Division of State Lands (January 8, 1993) and the US Army Corps of Engineers (February 17, 1993) regarding the findings of 'no jurisdictional wetlands' on the Consumer Power, Inc. site (9th Avenue and Spruce Street) in Corvallis, Oregon. Findings by both agencies concluded that the previously developed site had been effectively drained and therefore is not subject to either state or federal wetland regulation.

As development of this site is being actively considered, and due to the present expiration of the above concurrence letters, on November 20th of this year HLS field ecologists conducted a follow-on reconnaissance of this property to verify whether site conditions had substantially changed to alter the previous regulatory findings. Conditions observed by HLS were of a vegetatively managed (mown) site which has been undergoing environmental clean-up from past land use. Several monitoring wells were noted throughout the site. No buildings or other structures are presently located on this property, but large areas of compacted gravel and asphaltic surfacing remain.

Vegetation

Given the past effective draining and land use disturbance of this site, from agricultural to a pole treatment plant, little native vegetation remains. Dominant vegetation on this site is a fescue (*Festuca arundinacea*, FAC-) pasture. In low depressional areas (artificially created from placement of the monitoring wells or structural clearing activities), willow (*Salix sp.*, FAC-FACW) shrubs are visually apparent but dominant in only these limited (<0.01 acres) locations. Curly dock (*Rumex crispus*, FAC) and tufted hairgrass (*Deschampsia cespitosa*, FACW) clumps are located as subdominants in some of these depressional areas lacking willow dominance and more open to sunlight. Tufted hairgrass clumps were also present in sub-dominant aggregations in portions of the mown field. HLS has observed similar remnant seed bank/source continued propagation in other Willamette Valley locations disturbed through continued agricultural land use and hydrologic alteration.

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November 21, 1998
Rick Frame, Slayden Construction Inc.
Consumer Power Site Wetland Reconnaissance, Corvallis, Oregon
page 2

Soils

Soils are a grayish-brown to dark grayish-brown silt loam (10 YR 4/2-3). HLS ecologists observed no sign of common to abundant soil mottling as an indicator of oxygen-depleted (redoximorphic) condition typical of wetland soils. Past agricultural tilling and drainage of this site may have minimized or eliminated conditions which otherwise would sustain wetland soils.

Hydrology

Prior to and during HLS' reconnaissance, sustained rainfall has inundated many low-lying areas and streams throughout Oregon. Though ponding was observed in areas of compacted gravel or asphaltic surfaces, no surficial ponding was observed elsewhere on this site, supporting the ODSL/ACOE conclusion that this site has been effectively drained. In HLS' test pits, though surface soils were wet from the sustained rainfall, no sign of an active water table (sub-surface inundation or saturation) was observed below this surface layer.

Reconnaissance Conclusion

HLS' field ecologists observed no present site conditions which would alter the previous state and federal findings of 'no jurisdictional wetlands' or Non-Wetland. HLS recommends that our findings of this follow-on reconnaissance be forwarded to representatives of ODSL (Patti Caswell) and ACOE (Rich Gebhart) for inclusion in their site files.

Best regards,

HENDERSON LAND SERVICES LLC

A handwritten signature in black ink, appearing to read "Bruce Henderson", followed by a horizontal line.

Bruce A. Henderson
President

Slayden Misc/Consumer Power Recon.br

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EXC99-00002



January 8, 1993

Mr. Scott Craig
Wetland Environment
Technologies, Inc.
PO Box 632
Corvallis, OR 97339-0632

**DIVISION OF
STATE LANDS**

STATE LAND BOARD
BARBARA ROBERTS
Governor

PHIL KEISLING
Secretary of State

JIM HILL
State Treasurer

Re: Wetland Determination for Consumer Power Site
Corvallis, OR - T11S, R5W, Section 26

Dear Scott:

I have reviewed the above referenced wetland determination. Based on the documentation provided, I concur with your determination that no wetlands subject to Oregon's Removal-Fill Law (ORS 196.800 - 196.990) occur on the site. The site has apparently been effectively drained. Further documentation of drainage would assist the determination.

If you have any questions concerning this letter, please feel free to call me.

Sincerely,

Kenneth F. Bierly
Wetlands Program Manager

KFB/jp
ken:248

cc: Jim Goudzwaard, Corps of Engineers
Consumer Power, Inc.

**TO BE
MICROFILMED**



775 Summer Street NE
Salem, OR 97310-1337
(503) 378-3805
FAX (503) 378-4844

EXC 99-00002



Reply to
Attention of:

DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P. O. BOX 3940
PORTLAND, OREGON 97208-3940

February 17, 1993

Planning and Engineering Division

SUBJECT: Review of Determination of a Non-wetland, Corvallis,
Benton County, Oregon - Request No. 92-1131.

Wetland Environment Technologies, Inc.
Attn: Scott Craig
P.O. Box 632
Corvallis, Oregon 97339-0632

Dear Mr. Craig:

I have reviewed your December 16, 1992, delineation of a parcel of property in Corvallis owned by Consumers Power, Inc. I concur with your conclusion that no wetland exists on this property, as the land has apparently been effectively drained. No permit, under Section 404 of the Clean Water Act, would be required from the Department of the Army for the placement of dredged or fill material on the parcel of land.

This wetland jurisdictional delineation is valid for a period of three years from the date of this letter, subject to any equity provisions that may be adopted as part of implementation of the final revisions to the 1989 Manual, or unless new information warrants revision of the delineation before the expiration date.

If you have questions about the above reviews and comments, please contact me at (503) 326-5500.

Sincerely,

Jim Goudswaard
Wetland Specialist
Resource Protection and Fish
and Wildlife Section

Copies Furnished:

ODSL
EPA (Portland)
CENPP-PE-RP (Gebhart)

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